

LAWYERS SCORE SUPREME COURT

Varian and Lee Address the Bar Association.

CRITICISE RECENT DECISIONS

SALARY CASE INCLUDED AND SPEECHES WERE APPLAUDED

Utah's most august judicial tribunal, the supreme court, today was the recipient of two scathing criticisms at last evening's meeting of the State Bar association. The criticisms were embraced in the addresses of C. S. Varian, president of the association, and W. A. Lee, a member, and were based upon the opinions of the court in the mandamus cases of Thoreson vs. the board of examiners, and Wells vs. Tingey, the latter being the salary case.

President Varian brought the matter up in his annual address by saying that there was one decision of the supreme court that particularly invited attention. He then referred to the case of Thoreson vs. the board of examiners, and called attention to the fact that in the case under consideration the court held that public officers, in mandamus proceedings, are liable to non-performance of a ministerial duty imposed by the statute, that the statute was in violation of the constitution of the state.

Hard and Fast Rule.
The rule laid down in the case of Thoreson was, in a hard and fast one, which admitted of no exception, and cases supposed to support the holding of the court were cited from various states, some of which the speaker declared, did nothing of the kind. He said further that if this opinion was to stand as the law of the state, the financial officers who are charged with the collection and disbursement of public moneys are prohibited from in any wise questioning the validity of any of the legislative acts, directing the auditing of accounts and the disbursement of moneys in payment thereof.

"But," Mr. Varian added, "the court has not rigidly adhered to the rule of the Thoreson case."
He then cited the opinion of the court in the case of Wells vs. Tingey, in which the commissioners attempted to defend an action against them upon the ground that the statute in question was unconstitutional, and the court sustained their contention, but at the same time declined to consider the question as to whether or not they were ministerial officers, because the parties to the proceedings so requested.

Baskin Dissents.
It was mentioned, however, that the justice (Baskin) who wrote the opinion in the Thoreson case dissented in the Wells case.

Continuing, Mr. Varian referred to the fact that in the case of Wells vs. Tingey, the court passed upon the constitutional question presented, and awarded a peremptory writ without making any reference to the Thoreson case, and then added:
"We are not asked as to the reason, if any, for distinguishing this case. It is true the issue was solely between the state and its officers, and all parties were before the court. But in the Thoreson case the state was also before the court defending its school fund against an alleged unconstitutional statute."

Mr. Varian further on the Wells case, Mr. Varian said that the court without dissent upheld the statute in its entirety, and evidently considered the case within an exception to the rule laid down in the Thoreson case. An admission, he then said, there is any exception to the rule, in some degree modified the effect of the Thoreson decision.

Who Is Responsible?

In conclusion, Mr. Varian asked if a public officer charged with the safe keeping of public funds, who obeys an unconstitutional demand made by the legislature upon money in his charge, who would be responsible if moneys were wrongfully disbursed?
The remainder of Mr. Varian's address was devoted to a discussion of the recent laws enacted by the legislature, and the need of increased salaries for the judiciary.

Mr. Lee's address was upon the subject of "The Uncertainty of Law; Its Cause and Remedy," and he divided into the supreme court by saying that "in a comparatively recent case a very respectable court had declared that where the statute required an officer to perform a ministerial act, he will not be permitted to plead in justification non-performance of the act would violate the constitution."

This was the Thoreson case, and Mr. Lee declared that "in a somewhat lengthy opinion containing many citations, none of which supported the doctrine, the court succeeded in convincing itself of the correctness of the rule."

Could Not Be a Law.
Attention was also directed to the fact that the statute under which the action was brought provided that a writ of mandamus might issue to compel the performance of an act which the law specially enjoins, and Mr. Lee said:

"Now, if the writ can only issue to compel the performance of an act which the law specially enjoins, it is evident that the writ will not issue to compel the performance of an act which the law has not enjoined. If a statute is unconstitutional it is not a law and hence could not be a law that enjoined any kind of duty on any kind of an officer."

Judge Baskin's Reasoning.

Mr. Lee then said that the learned judge (Baskin) who wrote the opinion in the salary case, first announced that neither the validity nor the constitutionality of the act increasing the salaries was in question, and then devoted the remainder of the opinion to discussing the constitutional question. Finally, and finally reached the conclusion that the fixing of the salaries of officers by the constitution was not a thing of law, and that the term law as used in the constitution did not include the instrument in question.

It was thus seen that there are now two leading cases on the question. One holds that an officer will not be held to plead in justification of the non-performance of an act, that it would violate the constitution, and the other permits him to do so, but holds the law unconstitutional.

consideration. Later, a member suggested confidentially to several other members that the supreme court be named as a grievance committee, to which was added the further suggestion that the members of the court who are honorary members of the association, should be compelled to attend its meetings. Chief Justice Miner was the only member of the court present last evening, and he did not join in the applause.

Two meetings of the association were held during the day, one in the afternoon and the other in the evening. These are the first meetings that have been held since January, 1898. At the afternoon meeting the attendance was small and no business was transacted.

Officers Are Elected.
In the evening, however, there were fully sixty members in attendance, and aside from the addresses, officers for the ensuing year were elected and other matters of importance were disposed of.

President Varian attempted to decline a re-election, but the association refused to accept his declination, and he was again chosen by a unanimous vote. Other officers were elected as follows: C. S. Kinney, secretary; George L. Nye, treasurer; Andrew Howard, P. L. Williams, E. M. Allison, Jr., and E. B. Critchlow, executive council; W. I. Snyder, H. E. Booth and Frank B. Stephens, committee on grievances. The only changes made were the substitution of Andrew Howard for John M. Zane, and Frank B. Stephens for James A. Williams, and all were elected by unanimous votes.

The matter of selecting delegates to the meeting of the American Bar association at Saratoga next summer was left to the president and executive council.

Resolutions Introduced.

D. H. Wells, Jr., introduced a resolution at the evening meeting which will be considered at a special meeting called for Monday evening of next week. The resolution, in brief, provides that the association declare its policy of opposition to the securing of pledges or promises of support from citizens by aspirants for judicial nominations, and creates a committee of twenty-one to assist in securing lawyers of learning, dignity and integrity for judicial office. The debate upon the resolution promises to be a tropical one.

It was provided that all members who are in arrears before March 1st will have remitted the unpaid dues for 1898, 1899, 1900 and 1901.

A committee of five was appointed on "state of the law," and consisted of President Varian, Mr. L. Ritchie, Waldemar Van Cott, Elmer B. Jones and Frank Pierce.

W. A. Lee, G. M. Sullivan, F. A. Sweet, D. H. Wells and Allan T. Sanford were admitted to membership, and Justice Baskin and District Judges Maroneaux, Hall and Booth were made honorary members.

DIED FROM INJURIES.

Joseph Bithell, Who Was Hurt in Mine in Dry Canyon.

From injuries received in a mine accident a few days ago, Joseph Bithell, the foreman of the Utah Queen mine in Dry Canyon, died at the Holy Cross hospital yesterday.

The accident which cost Mr. Bithell his life occurred last Friday. Mr. Bithell was standing in the incline shaft of the mine when a "skip" loaded with ore broke loose from the wire cable and ran with ever increasing speed down the steep track. Mr. Bithell, who was standing on the track, discovered the runaway "skip," but too late to save himself. He was struck by the heavy car and hurled violently against the side of the tunnel, badly injuring his head and body.

Mr. Bithell, who had been instantly killed, but he revived and was removed that night to the Holy Cross hospital, where he lay for several days. Dr. Hosmer, all that medical aid and surgery could do was done, but the injuries were too severe, and yesterday morning death released the patient from his sufferings.

Mr. Bithell was a native of England, but has been a resident of this country for a number of years. He was about 35 years of age and leaves a family to mourn his loss.

The funeral will be held from the family residence near Third East and Sixth south streets, at 2 P. M. Friends of the family are invited to attend.

CARS CRASH TOGETHER.

One Man Badly Injured in State Street Collision.

Louis Viallet, 555 West Sixth South street, was seriously injured and a number of others received a severe shaking up and a fright consequent to a street car collision at State and Fifth South streets at 7:30 o'clock yesterday morning. Number 55, a modern Waterbury motor car, in charge of Motorman Peter Peterson, west-bound, crashed into No. 33, a light open Grove car, speeding south on State street. The latter was badly damaged, and the Waterbury car also suffered some damage. In the shower of splintered glass that followed, the passengers were hurled in every direction, and the words of their experience.

The one victim whose injuries are of consequence was thrown from the rear platform to the street and sustained a fractured skull as well as a number of cuts and bruises. He was removed to his home.

The accident was occasioned by a misunderstanding between the motorman as to which should have preference on the crossing. Motorman Rogers, in charge of the lever on the popular Grove car, thought he had been given the right of way, and shot ahead. Peterson, when he saw that an accident was imminent, shut off power and applied the brakes. The momentum of the car was too great, and it slid along the rails and finally brought up with a crash against the side of the other.

Both motormen were suspended by the officials of the company, who are now conducting a thorough investigation with a view of preventing a recurrence. It was 9 o'clock before the Popular Grove car could be moved.

His Run of No Avail.

San Francisco, Jan. 13.—Frank Holt, the military prisoner who escaped from Alcatraz island on Saturday by concealing himself in a box which was brought to this city on the steamer McDowell is again in custody. He got out of the box on the vessel, sailed out of the office of the deck when he landed, obtained \$2 from a waiter to whom he told his story, rented a room and was arrested the first time he ventured out.

Accused of Mysterious Crime.

Washington, Jan. 13.—The detectives told Richard Cole, colored, aged 22, and locked him up "on suspicion" in connection with the mysterious assault on Mrs. J. G. Dennis, the fashionable dressmaker, on the 7th of December. He has been working at the Dennis establishment as a porter and bundle carrier for about five months and has borne a good reputation. He was implicitly trusted by Mrs. Dennis, and in her statement to the police yesterday she manifested anxiety that no suspicion be cast upon any of her servants or employees in connection with the assault.

Bogus Drafts on Western Banks.

Boston, Jan. 13.—By the announcement of a Boston banker that a certain person is industriously forging several western states, with bad drafts of \$25 each drawn on a fictitious concern, the New England Directory company of Boston. A score of these drafts have already been received in La Jolla, a branch of the company, and the bank has been told to do so, but holds the law unconstitutional.

FAVOR COMPOUND TYPE OF ENGINE

Superintendents of Motive Power in Session.

FOR UNIFORM EQUIPMENT

OGDEN CONFIDENT IT WILL RETAIN RAILROAD TERMINI.

New locomotives ordered by any of the Harriman group of railroads will be of the compound type. Superintendents of motive power of these roads met yesterday in the office of Superintendent of Motive Power J. P. Dunn of the Oregon Short Line and took up various questions relating to equipment. It was agreed by all those present that the compound type of engine was the most economical, and that the roads will change as rapidly as convenient to this type of power. This means that new engines ordered will be compounded and that many of the old locomotives will be fitted with compound cylinders. There is still a difference of opinion as to whether the compound engine is the best, but all agree that the compound engine is the modern locomotive and the best.

Those present at yesterday's meeting were Superintendents of Motive Power J. P. Dunn of the Oregon Short Line, H. Higgins of the Union Pacific and H. J. Small of the Southern Pacific and Master Mechanic J. F. Graham of the Oregon Railroad & Navigation company. The H. Schroyer, superintendent of the car department of the Chicago & Northwestern, was present, but did not take part in the meeting. The superintendent of motive power of the Chicago & Alton, was expected, but did not appear.

The principal subject discussed was the standardizing of equipment. Having decided that the compound type of locomotive is the best, the superintendents went ahead with the details of agreeing on providing certain standard parts for all engines. The object of this is to enable orders to be placed for the entire system for any of the parts of locomotives, or cars.

The superintendents will be in session again before their duties before March 1st. The different parts of the cars will be made according to the same standard, for the purpose of having the same placing of lump orders for all four roads.

OGDEN PEOPLE CONFIDENT.

Feel Sure Railroad Termini Will Remain There.

Ogden, Jan. 13.—Ogden people are confident that the Southern Pacific is preparing to construct the cut-off from Ogden to Lucin.

W. D. Gillette, assistant engineer in the office of Chief Engineer Hood of San Francisco, is in Ogden and today has been over the right of way purchased by the Southern Pacific between Ogden and the lake for the lake cut-off.

At West Weber and Plain City Mr. Gillette made a number of examinations and asked questions which have led to the belief that it is intended to commence work at once. He inquired of Archibald McFarland and James C. Hooper, the usual weather conditions here for the balance of the season and the probability of frost interfering with the construction.

Similar queries were propounded to County Commissioner Skeen of Plain City and others.

In the Ogden Southern Pacific shops there is no secret of the fact that the company has a large force of men at work on hand for the near future. This is shown by the character of the material being received and the orders being transmitted, as well as the views of the work planned for the carpenters and machinists.

Though no official will make a definite statement for publication, it is stated they believe the Southern Pacific terminal will remain here, and the great development work either across the lake or around the north end is at hand.

Some of the men who have recently begun to purchase homes in Ogden in the full belief that they are to stay here.

HICKEY ON CAR SERVICE.

Short Line Man Favors the Per Diem System.

Car Accountant G. Hickey of the Oregon Short Line, who has been one of the most prominent advocates of the per diem system of charging for car service, said in an article in the current number of the Railway Age:

"I am strongly in favor of the per diem system of settlement for foreign car service," he says in the course of his article, "and believe that the views are shared by nine-tenths of the operating officials of all railroads in this country. The present system of charging on a tonnage basis is a position through entirely selfish motives."

"The present plan for settlement is one which would be a mark for derision if it existed in China or some other semi-civilized country, and that it is tolerated by the railroads of the United States is due to the inexplicable apathy on the part of the railroad officials."

"I am of the opinion that the per diem charge should be not less than 25 cents per car, rather than 15 cents, as suggested by a committee of the American railway association some two years since."

General Manager Russell Harding of the Missouri Pacific, who has been a system has also expressed his views in favor of the per diem system.

BOON TO THE WEST.

California Talks of the San Pedro Railroad.

(Special to The Herald.)
Washington, Jan. 13.—W. H. Workman, treasurer of the San Pedro Harbor, Cal., was at the capital today looking after the interests of San Pedro harbor, which the California legislature is endeavoring to have improved at a cost of \$1,000,000.

Mr. Workman said today:
"Our little city is booming as it never did before. This is largely due to the building of San Pedro, Los Angeles and Salt Lake railroads, which will bring Clark of Montana, Senator Kearns of Utah and A. C. Keren of Missouri are interested in the project."

The building of this road will mark a new era in the development of coast cities. Of course the building of the isthmian canal will boom all cities of the coast, but the new railroad will have more influence in the development of inland cities than anything else I know of."

Joint Survey Nearly Finished.

Word has been received from Nevada that the joint survey of the Oregon Short Line and the San Pedro has been completed twenty miles beyond the Muddy, and is partially completed well beyond there. No conflict has arisen so far, and it is believed that the entire survey will be amicably completed in a few days.

Kilpatrick After Contracts.

Ogden, Jan. 13.—H. Kilpatrick, of Ogden, has been awarded a contract for a lot of heavy trucks on the Southern Pacific line west of Wadsworth, Nev., and so far as can be learned Mr. Kilpatrick's visit west is simply on business connected with this contract.

Railroad Notes.

Among the improvements to be made on the Oregon Short Line is understood to be the laying of heavier rails on the California branch.

The ballasting of the Short Line track through Idaho is to be continued during the coming year. It is intended to make this one of the finest roadbeds in the west.

If a railroad is built to Deep Creek, it will almost without doubt be a branch of the San Pedro or the California branch, or both. The Deep Creek people say they

Why a Woman Is Able to Help Sick Women When Doctors Fail.

How gladly would men fly to woman's aid did they but understand a woman's feelings, trials, sensibilities, and peculiar organic disturbances. Those things are known only to women, and the sick woman would give to them in her command.

To treat a case properly it is necessary to know all about it, and full information, many times, cannot be given by a woman to her family physician. She cannot bring herself to tell everything, and the physician is



Mrs. G. H. CHAPPELL.

at a constant disadvantage. This is why, for the past twenty-five years, thousands of women have been consulting their troubles to us, and our advice has brought happiness and health to countless women in the U. S. Mrs. Chappell, of Grant Park, Ill., whose portrait we publish, advises all suffering women to use Lydia E. Pinkham's Vegetable Compound, as it cures her of indigestion of the stomach, and womb; she, therefore, speaks from knowledge, and her experience ought to give others confidence. Address Mrs. Pinkham's Laboratory, Lynn, Mass.

are indifferent to the manner of building if the road will only be built.

The general policy of consolidation, the jurisdiction of C. S. Mitchell, claim agent of the Denver & Rio Grande, has been extended to include the Rio Grande Western. This does not affect the standing of any official on the Okeene at 5 o'clock this morning. Mrs. Chappell, of Grant Park, Ill., has been looking after most of the claim work, and he will undoubtedly be retained as the reputation of being an efficient official.

KILLED IN A COLLISION

Two Workmen's Lives Are Lost by the Act of a Miscreant.

Wichita, Kan., Jan. 13.—A freight train running twenty miles an hour on the Okeene, Okla., branch of the Rock Island road, crashed into a work train which was standing on a siding at Okeene at 5 o'clock this morning.

The collision killed Bridge Foreman H. K. Bear of this city and Carpenter A. E. Colby of Galva, Kan.

The men in the work car were still asleep and were buried under the debris, which caught fire and threatened to roast every one of them. The crew of the freight train and some citizens by heroic efforts saved them.

The injured are brakeman Frank Hoop, Foreman James Casey and Engineer John Yeaton of the freight train, and four men on the work train named Mitchell, Jackson, Burke and Potter.

Some of them are injured fatally. The cause of the wreck was the malicious breaking of a switch lock and the throwing of the switch by some unknown person. H. K. Bear, the dead foreman, had a half interest in the drug store of C. L. Lease of this city, the husband of Mary Ellen Lease. His body was brought here tonight.

KIPLING'S LATEST POEM.

Cited as an Example of Deterioration of Genius.

New York, Jan. 13.—The Rev. Dr. Louis Albert Banks, at the Grace Methodist church in a recent sermon, said in part:

"The one poet now living who has the power to speak to world-wide audiences is Rudyard Kipling. And most of us feel that the man who wrote the 'Recessional' and 'The White Man's Burden' has fairly won the right. But there are millions of his admirers who feel that in the poems relating to the Boer war there has been a most prostitution of his great gifts."

"In Mr. Kipling's most recent poem, which is a severe arraignment of the English people for lack of loyalty and devotion in resisting the Boers, the line which has caught the popular eye and ear more than any other is the one which calls for public contempt on 'The flanneled foals at the victor'."

"His point of view is evidently that a man is a light-headed, light-hearted fool who gives himself up to sport and idle jollity when his country needs a serious effort."

But the intelligent middle class Englishman has not great enthusiasm about the war in South Africa. It does not appeal to his sense of justice or humanity. Engraving is learning what all nations must learn sooner or later, that war simply because it is war is losing its glamour."

HE SAW THE SHIP'S LIGHTS.

Testimony in the Walla Walla Investigation Is Being Taken.

San Francisco, Jan. 13.—At the Walla Walla investigation today, Charles Larson, one of the steamer's passengers, testified that at five minutes of four in the morning he came on deck, having got up to have a smoke. He plainly saw the lights of the Max. He lit his pipe and immediately afterward heard eight bells sound.

It usually takes him fifteen minutes to smoke his pipe and just as he finished the collision occurred. He was therefore that it was about 4:15 a. m. when the vessels collided. He succeeded in getting into one of the boats. There was a compass in the boat, but it was in such bad order as to be useless. There was no life preserver in the boat.

So far as he knew, all the officers and men were sober on the night of the wreck.

One of the Walla Walla coast passers, Peter Schiefel, testified that the boat in which he was was equipped with five oars and a compass. Charles Chevalle, second mate of the Max, said he was on the deck of the boat when it was struck by the Walla Walla and plainly saw the lights of the Walla Walla. He thought they were occasionally hidden by the steamer's smoke, but declared that the published story that he held the captain of the Washtenaw that he saw women and children in the water after the collision was absolutely unfounded.

Chile No Refuge Now.

Washington, Jan. 13.—United States Minister Wilson at Santiago de Chile cabled the secretary of state today that the government of Chile has adopted the policy of non-interference in the government of the United States.

Mountain States.

NO USE FOR SPOTTERS

Denver Judge Refuses to Con-vict on Testimony Given by One.

Denver, Colo., Jan. 13.—Twenty-eight of the persons indicted by the late special grand jury on charges of conducting gambling houses, gaming houses for immoral purposes, etc., filed pleas of abatement in the criminal branch of the district court today.

These pleas attack the validity of the indictments on the ground that the grand jury is an illegally constituted body. It is alleged in the pleas that Judge Johnson used unfair and unlawful means in his efforts to get a jury subservient to his wishes and that he gave instructions to the jury in secret, a proceeding that is explicitly prohibited by law.

The pleas will all go before Judge Booth M. Malone, who will preside at the new term of the criminal court, which opens tomorrow, succeeding Judge Johnson. Judge Johnson today transferred the cases of H. H. Tammien, J. J. Thomas, Robert Schraeder and Daniel J. Sadler, charged with embezzlement, to Jefferson county, to be tried by Judge A. H. De France.

According to a decision announced by the court of appeals today, a city in this state cannot prosecute a party for violating an ordinance if the city procure such violation through its prosecuting witnesses for the purpose of securing evidence.

Orrin W. Wilcox was charged with selling patches in the market, but the defense proved that the prosecuting witness was a spotter, who bought the patches from the defendant for the purpose of selling them. The lower court convicted Wilcox, but the appellate court notes that the defendant is not responsible for the violation of the ordinance as the defendant, and is in no position to complain that its ordinance is violated.

BROKE THROUGH THE ICE.

Courageous Skaters Rescue an Aged Man From Drowning.

(Special to The Herald.)
Pocatello, Idaho, Jan. 13.—Joseph A. Church, an old resident of this city, attempted to cross the ice just below Centennial bridge, when he fell through the ice, which has melted considerably during the past few days, and gave way under his weight, letting the old man through.

He was with difficulty that he was rescued and when taken out was almost exhausted. This part of the river is thronged with skaters every day, and for their presence it is quite likely that the disappearance of Mr. Church would have been a mystery. They rescued him.

To Put Up a Soda Plant.

(Special to The Herald.)
Green River, Wyo., Jan. 12.—It is stated positively by persons in a position to know, that work will be commenced in a few days on the erection of a \$100,000 soda plant at this place. Plans and specifications are now in the hands of the contractors, and ground will probably be broken at once. Manager W. S. Hodges of the soda company will be here next Tuesday to superintend the work of construction.

Owing to the proximity of vast quantities of lime, the product of the plant will be soda ash and caustic soda exclusively. This part of the river is thronged with skaters every day, and for their presence it is quite likely that the disappearance of Mr. Church would have been a mystery. They rescued him.

Body Found in the Brush.

Florence, Colo., Jan. 13.—The body of L. P. Pocatello, a young man who wandered away last week when demented, was found twelve miles south of Florence today. Pocatello had ridden away on horseback and dismounted when he got into the brush, through which he crawled. All his clothes were torn to shreds and the body terribly bruised and scratched. The body was found by Government Ranger Pollis. It is presumed exposure and starvation were the cause of the demented man's death.

Fugitives Have Escaped.

(Special to The Herald.)
Pocatello, Idaho, Jan. 13.—The three prisoners that induced Jailer John Priest to a few nights ago to enter their cell under the pretense of sickness among them and after getting him inside, found him up, took his coat and keys away from him, locked him in a cell and made their escape, are still at large. George Griffith has been scouring the country with the aid of the Indian police with the hopes of securing the jail breakers, but so far his search has availed nothing.

Feared He Might Be Lynched.

Reno, Nev., Jan. 13.—Sheriff McInnis took the negro Scott, who shot Constable Leeper Thursday night, to the state penitentiary at Carson last night as a precaution against an attempt to administer lynch law. The doctors performed an operation on Scott and he is feeling better. He had been shot through his liver. He may recover. Officer Leeper is doing well. The critical time has not yet been passed.

Biber for Receiver.

Baker City, Ore., Jan. 13.—Advices from Washington say the president has decided on the nomination of George W. Biber as receiver of the land office at Oregon City, Ore.

Kills Himself With Rifle.

Helena, Mont., Jan. 12.—Henry Weir, a young man at Helena, shot himself through the head with a rifle. No cause is known for his action.

GUAM IS TO HAVE A SEA COAST BATTERY

Washington, Jan. 13.—Secretary Root has sent to congress estimates of \$307,000 for the defense of the island of Guam and \$328,000 for the defense of Hawaii.

The defenses of Guam are to include a seacoast battery, 112,000; defensive sites, \$45,000; and torpedo batteries, mines, at \$125,000.

The defenses of Hawaii are to include those about Honolulu and Pearl harbor. General Gillespie, chief of engineers, states in the estimates that these defenses are urgently needed to protect the newly-acquired territory of the United States and to prevent the interruption of cable communication, these islands being in the line of the projected cable.

COLLECTING MONEY FOR BOER DESTITUTE

Denver, Colo., Jan. 13.—Webster Davis was tendered a reception at the Albany hotel today, at which several thousand men and women greeted him. Mr. Davis made a brief address championing the cause of the Boers in South Africa. In compliance with resolutions adopted, a request has been forwarded to